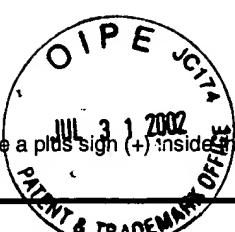


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9200

3744

HDP/SB/21 based on PTO/SB/21 (08-00)

DAC

#13

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/321,611
		Filing Date	May 28, 1999
		First Named Inventor	Donghui QU
		Group Art Unit	2133
		Examiner Name	G. Lamarre
Total Number of Pages in This Submission		Attorney Docket Number	29250-000272/US

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Petition to Withdraw Holding of Abandonment</b>
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.		Attorney Name Jason W. Rhodes	Reg. No. 47,305
Signature				
Date	7/31/2002			

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name		
Signature		Date



PATENT  
29250-000272

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donghui QU Conf: 6732  
Serial No.: 09/321,611 Group: 2133  
Filed: May 28, 1999 Examiner: G. Lamarre  
For: EFFICIENT METHOD FOR CALCULATING THE REMAINDER OF A  
MODULO DIVISION

**PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

July 31, 2002

Dear Sir:

In response to the Notice of Abandonment dated July 23, 2002, Applicant hereby respectfully petitions under the provisions of 37 C.F.R. 1.181 and M.P.E.P. §711.03(c) for decision to withdraw the holding of abandonment.

The Notice of Abandonment dated July 23, 2002 indicates that this application was abandoned in view of Applicant's failure to respond to timely pay the required issue fee within the statutory period of three months from the mailing date of a Notice of Allowance mailed on March 12, 2002. However, this Notice of Allowance was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that this Notice of Allowance of March 12, 2002 was never received. The offices of the undersigned did not become aware of the Notice of Allowance until advised of the holding of abandonment.

The fact that the Notice of Allowance of March 12, 2002 was never received in the offices of Harness, Dickey & Pierce, P.L.C. (Reston Office) is evidenced by **Exhibits I-III** attached hereto.

**Exhibit I** is a copy of the front page of the attorney's file jacket of Serial No. 09/321,611 (which corresponds to Attorney Docket No. 29250-000272). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petition Examiner will note, there is no entry for the Notice of Allowance dated March 12, 2002 on the front page of the file jacket of the above-referenced application.

**Exhibit II** is a copy of the computer-generated daily docket sheet for Harness, Dickey & Pierce P.L.C. (Reston Office) for the date of June 12, 2002 (the due date for said issue fee), containing entries made by our Docketing Personnel of due dates in response to United States Patent and Trademark Office Actions. It is the policy of our office to docket all due dates for Office Actions received from United States Patent and Trademark Office into our computer docketing system.

Although Titles and Client Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of June 12, 2002 which corresponds to the current application, Attorney Docket No. 29250-000272.

**Exhibit III** is a copy of the manual docket book of Harness, Dickey & Pierce, P.L.C. (Reston Office) for the due date of June 12, 2002. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO in our manual docketing book.

Although Client Names have been redacted from this exhibit to avoid public disclosure of these matters once the present application is patented, there is no entry for the due date of June 12, 2002 for the above-referenced Attorney Docket No. 29250-000272.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets and the manual docket book for the due date of June 12, 2002 and did not locate an entry which corresponds to Attorney Docket No. 29250-000272.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with the United States Patent and Trademark Office receiving the mailing of the November 6, 2001 response to the June 6, 2001 Office Action. Accordingly, this petition is being timely filed for the purpose of petitioning withdrawal of the abandonment in view of the above-stated facts.

Since the above-mentioned Notice of Allowance was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this petition. In the event that the petition fee is deemed necessary by the United States Patent and Trademark Office, it is respectfully requested that the fee of \$130.00 as set forth in 35 U.S.C. §1.17(h)(1) be charged to Deposit Account No. 08-0750.

In the event that any matters remain at issue in the application, the Examiner is invited to contact Jason W. Rhodes (Reg. No. 47,305) at (703) 390-3030 in the Northern Virginia area, for the purpose of a telephonic interview.

Respectfully submitted,

HARNESS, DICKEY AND PIERCE P.L.C.

By

Jason W. Rhodes  
Reg. No. 47,305

P.O. Box 8910  
Reston, VA 20195

GDY:JWR:dg

Attachments: **Exhibits I-III**



# EXHIBIT II

SWR

## DAILY DOCKET

6/12/2002 JAC / 29250-000128/US Appeal Due  
Appln. No.: 09/139107 Filing Dt.: 8/25/1998 Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

Exten 1

6/12/2002 GDY / / 29250-100262/CA Misc. Response Due NEP  
Appln. No.: 2266683 Filing Dt.: 7/29/1998 Client: Lucent Technologies, Inc.  
Title: [REDACTED]  
Comments: 2 WEEK CALL-UP TO RESPOND TO OFFICIAL ACTION DUE 06/26/2002

Noted

6/12/2002 TSA / / 3197-000040/US Target Filing Date  
Appln. No.: [REDACTED] Filing Dt.: [REDACTED] Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

Ext. 6/21

6/12/2002 DJD / / 32860-000243/US IF NEP (1st) & Chk Div's/CIPs  
Appln. No.: 09/646148 Filing Dt.: 9/13/2000 Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

6/12/2002 JAC / / 37310-000101/US IF NEP (1st) & Chk Div's/CIPs  
Appln. No.: 09/337741 Filing Dt.: 6/22/1999 Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

Final

6/12/2002 JAC / / 37310-000185/US Target Filing Date  
Appln. No.: [REDACTED] Filing Dt.: [REDACTED] Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

Ext 2 weeks  
u24

6/12/2002 JAC / GPB / 37310-000206/US 3 Mo OA (1st) Due  
Appln. No.: 09/563713 Filing Dt.: 5/2/2000 Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

6/12/2002 GDY / TRW / 37310-100199/EP Foreign OA  
Appln. No.: 97302561.2 Filing Dt.: 4/15/1997 Client: [REDACTED]  
Title: [REDACTED]  
Comments: RULE 51(4) OFFICIAL ACTION - NO PROPOSED AMENDMENTS MADE BY EXAMINER!

Dom

6/12/2002 MPB / GKH / TSA 6215-000078/US Target Filing Date  
Appln. No.: [REDACTED] Filing Dt.: [REDACTED] Client: [REDACTED]  
Title: [REDACTED]  
Comments: [REDACTED]

Ext 1 mth  
1/12

## EXHIBIT

III

DLC JK

Jun 12 02

32860-000128

Final y

TRW

Abar

NOA x

37310-000157

NTFMP xx

GDY

filed 5/13/02

32860-000105 DVA

Amend

DJID

filed 5/2/02

29250-000128

Final filed 5/13/02

JAC

NOA ext

29250-000471

Amend

TSA

filed 6/11/02

37310-000101

Issue Fee

JAC

paid 6/12/02

29250-000172

Issue Fee

TSA

paid by [REDACTED] 5/31/02

15900-000720

NTFMP x

JAC

filed 4/23/02

32860-000263

Miss. Rgnts. x

DJID

filed 5/18/02

37310-000139

Restriction xx

JAC

filed 3/27/02

32860-000243

Issue Fee

DJID

paid 6/12/02

Jun 12 02

✓ 6215-000078

ext to 7/12/02

TFD

TSA

✓ 37310-000206/US/DVA

Amend

GDY

filed 6/12/02

✓ 32860-000276 Resp to Not of Msg Reg

filed 6/10/02

DJD

✓ 37310-000185

TFD

JAC

ext to 6/26

✓ 3797-000040

TFD

TSA

ext to 6/21/02

✓ 12480-000003

TBFA

DJD

filed 6/5/02